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| Jack V. Musgrove | | | WALSH, DANIEL I | |
| 2911 Briona Wo | ood Lane | | | |
| Cedar Park, TX 78613 | | | ART UNIT | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Ebetiages of time may be available under the provision of 2 CFR 1.736(a). In or event, however, may a reply be limely feed I the period for reply specified above is less than thinly (50) days, a reply writin the ablation y minimum of thinly (50) days will be considered timely. If the period for reply specified above is less than thinly (50) days, a reply writin the ablation y minimum of thinly (50) days will be considered timely. If the period for reply specified above is less than thinly (50) days, a reply writin the ablation y minimum of thinly (50) days will be considered timely. If the period for reply specified above is less than thinly (50) days, a reply writin the ablation y minimum of thinly (50) days will be considered timely. If the period for reply specified days is the provision of the communication, with the period of the communication, with the period of the communication, with first the self-y within the set or existed period for reply with 15 states and the communication. Find period from the set of the communication of the communicatio | | Application No. | Applicant(s) | | | | |
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| Daniel I Walsh | Office Action Commence | 10/645,176 | MATADA, ANMOL N. | | | | |
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| 2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-21 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5 Claim(s) is/are allowed. 6 Claim(s) is/are objected to. 8 Claim(s) is/are objected to. 8 Claim(s) is/are objected to. 8 Claim(s) is/are objected to. 9 Claim(s) is/are objected to by the Examiner. 10 The drawing(s) filed on is/are: a) core cepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) core cepted or b objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. §§ 119 and 120 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of: □ Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No. 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Burseu (PCT Rul e17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78. 2) The translation of the foreign language provisional applica | THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). | | | | | | |
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Page 2

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Re page 1, line 1: Replace "Application...filed contemporaneously" with -- Application No. 10/645,199 filed contemporaneously --.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Jaros et al. (WO 02/35435), as cited by the Applicant.

Re claim 1, Jaros et al. teaches entering using application information into a local computer (remote dispensers 110/120/TOPS 121/TOPS 131/FIG. 9), transmitting the user application information from the local computer to a host server, receiving new bank card information from the host server at the local computer in response to the transmitting step and creating a new bank card having the new bank card account information encoded thereon in machine readable form immediately after the receiving step (FIG. 1 and FIG. 10).

Re claim 2, Jaros et al. teaches the use of the Internet to decide on card issuing (transmitting step) (page 6, lines 23+ and FIG. 1).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 3-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaros et al.

The teachings of Jaros et al. have been discussed above. Jaros et al. teaches taht the credit card processing module 252 and FIG. 2, 5, 6 may analyze the information contained in the submitted application in view of the credit models 254 to arrive at a decision (page 9, lines 4+ and page 12, lines 21+). Jaros et al. teaches liking with the credit bureau to authorize a credit card (page 9, lines 10+). This is interpreted to include communicating with a third party company to apply for a bankcard account on behalf of a user. Though Jaros et al. teaches communicating, but not specifically transmitting the information to the credit bureau, and that the credit bureau has a user profile, it is well known and conventional that credit bureaus contain profiles for individuals. Further, in light of Jaros et al. teaching communicating with the credit bureau, it would have been obvious to transmit application data to the credit bureau as an obvious expedient to verify/reject a customer for a credit card they are applying for, especially since Jaros et al. teaches communicating with the credit bureau with a communications link. Accessing the resources of the credit bureau by downloading information or transmitting it, would be an obvious expedient.

Re claim 4, Jaros et al. teaches card information 259 stored on the secondary storage device that is outside the local computer. Though Jaros et al. teaches the remote dispenser 110

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includes a memory 132 including a remote dispensing module 133 which receives an embossing record to emboss a card (interpreted to include account information), Jaros et al. is silent to storing such data in a database. However, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to store such records locally, as is well known and conventional in the art, for record keeping purposes, in a well known format, such as a database.

Re claims 5-6, Jaros et al. teaches that the remote dispensing module interacts with the instant issuance module and embossing machine 138 to receive an embossing record, send it to the embossing machine, the embossing and writing the encoded information to the card's magnetic strip (page 10, lines 3+). Jaros et al. teaches that the embossing machine is separate from the comptuer (page 12, lines 1+), which therefore teaches sending information from the local computer to an access device. Though Jaros et al. teaches that the memory 132 include a remote dispensing module 133 that receives the embossing record, Jaros et al. is silent to the information being downloaded. However, at the time the invention was made, it would have been obvious to download the information in order to have a record, as is well known and conventional in the art for security/record/tracking purposes.

Re claim 7, it is interpreted by the Examiner that as the credit card access device receives the embossing record (as per claims 5-6 above) that the access device uses the record to create the card, and therefore, the local comptuer can be interpreted as programming the device as it sends instructions that the access device follows.

Re claim 8, Jaros et al. teaches a display for output 150, a keyboard for input 152, a network communication device (FIG. 1), a processor connected to the display, keyboard, and

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network communication device, the processor executing instruction which allow the user to enter application information, transmit the user application information to a host server using the network communications device, receiving new bank card account information from the server, and immediately receive the new bank card account information to a credit card access device (FIG. 8, FIG. 1, page 10, lines 3+, and FIG. 10). Though Jaros et al. teaches that the dispensing module receives the embossing record, Jaros et al. is silent to downloading it. However, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to download the record since it is well known to keep such electronic records for tracking/record keeping purposes, and therefore is an obvious expedient. Further, it is well known and conventional that computer systems include permanent and temporary memory, and that CPUs are connected to the memories. Permanent storage means such as system programs are well known and conventional in the art and are accessed by the processor as is conventional in the art.

Re claim 9, Jaros et al. teaches transmitting user application information to a host server (page 6, lines 23+ and FIG. 1).

Re claim 10, though Jaros et al. teaches encrypting techniques to user to ensure secure communication of data and industry requirements, as is well known and conventional in the art (page 5, lines 12+).

Re claims 11-12, Jaros et al. teaches that an application is submitted at the computer by a customer completing the application in a manner as is known in the art (FIG. 10), such as through an interface or keyboard/display, for example. Though Jaros et al. teaches completing and submitting an application at the computer, Jaros et al. is silent to a computer database storing information for multiple bank card accounts, including the new bank card account information,

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and manually entering such information into the database. However, at the time the invention was made, it was well known and conventional in the art for a persons credit history, including credit cards, debts, employment history, etc. to be evaluated to establish a individuals level of risk, when applying for a credit card, cash advance, loan, etc. Accordingly, it would have been obvious to provide manual input means of previous account information, along with other personal information (as the input of personal information is taught by Jaros et al.), to establish a risk assessment for a user applying for a credit card, especially since Jaros et al. teaches contacting a credit bureau for credit assessment purposes, thereby illustrating the importance of determining a type of offer to give a customer (page 12, lines 25+). Being entered at the computer itself, it would be obvious to store such data locally and manually, in a database for example, for record keeping purposes, along with the bank card application of the card being applied for (new bank card account) for record keeping purposes.

Re claim 13, it is well known that programs interface with each other in a computer system. Jaros et al. teaches credit card management means (page 10, lines 18+) including reconciling the number of credit cards dispensed with the number of records created. Though Jaros et al. is silent to programs interfacing with each other, it is understood that programs interface with each other in such systems as is conventional in the art.

Re claim 14, it is understood that through the system and its program instructions, interpreted as the instructions that govern the operation of the system, that they program the credit card access device through the local computer, as taught above re claim 7; the embossing record sent by the comptuer program instructions programs the access device.

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Re claim 15, Jaros et al. teaches a card substrate with a machine readable medium (page 13, lines 14+), a credit card access device (138) which writes selected bank card account information to the readable/writable medium of the card substrate, subject to user authentication (page 13, lines 3+), and a computer having program instructions which allow a user to enter application information (FIG. 10), transmitting the user application information to a host server using the network communications device (FIG. 1), receiving new bank card account information from the host server (remote dispensing module 133), and immediately send the new bank card account information to the credit card access device (FIG. 10, where the card is created and dispensed). Though Jaros et al. teaches that the dispensing module receives the embossing record, Jaros et al. is silent to downloading it. However, at the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to download the record since it is well known to keep such electronic records for tracking/record keeping purposes, and therefore is an obvious expedient.

Re claim 16, Jaros et al. teaches the application is sent to the server across the Internet (transmitting step) (page 6, lines 23+ and FIG. 1).

Re claim 17, though Jaros et al. teaches encrypting techniques to user to ensure secure communication of data and industry requirements, as is well known and conventional in the art (page 5, lines 12+).

Re claims 18-19, Jaros et al. teaches that an application is submitted at the computer by a customer completing the application in a manner as is known in the art (FIG. 10), such as through an interface or keyboard/display, for example. Though Jaros et al. teaches completing and submitting an application at the computer, Jaros et al. is silent to a computer database storing

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information for multiple bank card accounts, including the new bank card account information, and manually entering such information into the database. However, at the time the invention was made, it was well known and conventional in the art for a persons credit history, including credit cards, debts, employment history, etc. to be evaluated to establish a individuals level of risk, when applying for a credit card, cash advance, loan, etc. Accordingly, it would have been obvious to provide manual input means of previous account information, along with other personal information (as the input of personal information is taught by Jaros et al.), to establish a risk assessment for a user applying for a credit card, especially since Jaros et al. teaches contacting a credit bureau for credit assessment purposes, thereby illustrating the importance of determining a type of offer to give a customer (page 12, lines 25+). Being entered at the computer itself, it would be obvious to store such data locally and manually, in a database for example, for record keeping purposes, along with the bank card application of the card being applied for (new bank card account) for record keeping purposes.

Re claim 20, Jaros et al. teaches credit card management means (page 10, lines 18+) including reconciling the number of credit cards dispensed with the number of records created. Though Jaros et al. is silent to programs interfacing with each other, it is understood that programs interface with each other in such systems as is conventional in the art.

Re claim 21, it is understood that through the system and its program instructions, interpreted as the instructions that govern the operation of the system, that they program the credit card access device through the local computer, as taught above re claim 7; the embossing record sent by the comptuer program instructions programs the access device.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maes et al. (US 6,016,476)Masuda (US 5,569,987), Natsuno (US 2003/0045328), Ohta et al. (US 2002/0088852), and Sakashita et al. (US 2002/0030099).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Walsh whose telephone number is (703) 305-1001 or (571) 272-2409 (as of January 15, 2004). The examiner can normally be reached between the hours of 7:30am to 4:00pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503 or (571) 272-2398 (as of January 15, 2004). The fax phone numbers for this Group is (703) 872-9306, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 US.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [daniel.walsh@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set for the in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

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> KARL D. FRECH PRIMARY EXAMINER

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